

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JOSEPH GILBERTI,

Plaintiff,

v.

WARREN BUFFET et al.,

Defendants.

)
)
)
)
)
)
)
)
)
)
)

Case No. CIV-25-176-D

ORDER

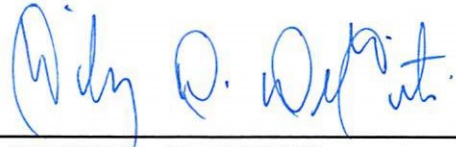
Before the Court is United States Magistrate Judge Suzanne Mitchell's Report and Recommendation [Doc. No. 5] filed pursuant to 28 U.S.C. § 636(b)(1)(B)-(C). Judge Mitchell recommends denying Plaintiff's Motion for Leave to Proceed in forma pauperis [Doc. No. 2] and dismissing this action without prejudice should Plaintiff fail to pay the filing fee within 21 days of this order.

The case file shows no timely objection to the Report nor request for an extension of time, even though Plaintiff was expressly informed of his right to object, the deadline for doing so, and the firm waiver rule. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). Therefore, the Court finds that Plaintiff has waived further review of all issues addressed in the Report. *See id.*; *see also United States v. 2121 East 30th Street*, 73 F.3d 1057, 1060 (10th Cir. 1996). Furthermore, for the reasons stated by Judge Mitchell, the Report and Recommendation [Doc. No. 5] is **ADOPTED** in its entirety.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Proceed in forma pauperis [Doc. No. 2] is **DENIED**; Plaintiff is ordered to pay the filing fee within 21 days

of this order, or by April 25, 2025, or this action will be dismissed without prejudice and without further notice to Plaintiff.

IT IS SO ORDERED this 4th day of April 2025.



TIMOTHY D. DeGIUSTI
Chief United States District Judge